

**Ashley M. Gjovik, JD**  
*In Propria Persona*  
2108 N St. Ste. 4553  
Sacramento, CA, 95816  
(408) 883-4428  
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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

**ASHLEY GJOVIK, an individual,**

Plaintiff,

vs.

**APPLE INC, a corporation,**

Defendant.

Case No. 3:23-CV-04597-EMC

**DECLARATION  
OF ASHLEY GJOVIK**

Civil L.R. 7-3, 7-5

**MOTION HEARING & CASE  
MANAGEMENT CONFERENCE:**

Dept: Courtroom 5 (Zoom)

Judge Edward M. Chen

Date: August 28, 2024

Time: 9:30 AM PT

## **DECLARATION OF ASHLEY GJOVIK**

Pursuant to 28 U.S.C. § 1746, I, Ashley M. Gjovik, hereby declare as follows:

My name is Ashley Marie Gjovik. I am a self-represented Plaintiff in this above captioned matter. I have personal knowledge of all facts stated in this Declaration, and if called to testify, I could and would testify competently thereto.

I make this Declaration based upon my personal knowledge and in support of Plaintiff's Opposition (Docket No. 84 and 85) to Defendant's Motion to Dismiss (Docket No. 78) and Motion to Strike (Docket No. 79), and in Support of Plaintiff's Motion for Leave to file a sur-reply.

The prior July 31 2024 Declaration is integrated here, including statements and Exhibits A-F.

Attached as Exhibit G is a true and correct copy of the email I sent US EPA when I started looking into the Superfund site next to 3250 Scott Blvd in January 2023, and when I discovered the fab at 3250 Scott in February 2023.

Attached as Exhibit H are true and correct captures of the Public Records Act request I filed to city of Santa Clara that led to the discovery of 3250 Scott Blvd, and the two requests filed by AEI Consulting prior.

Attached as Exhibit I are true and correct images captured of Gobbler still trying to access my personal iCloud account for years after I was fired.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on August 18 2024 in Boston, Massachusetts.

Executed on: August 18 2024

Signature:



---

/s/ **Ashley M. Gjovik**

*Pro Se Plaintiff*

**Email:** legal@ashleygjovik.com

**Physical Address:** Boston, Massachusetts

**Mailing Address:** 2108 N St. Ste. 4553 Sacramento, CA, 95816

**Phone:** (408) 883-4428

**Appendix: Table of Exhibits**

**RECORD DESCRIPTION**

	<i>First Declaration (July 31 2024)</i>
<b>EXHIBIT A</b>	Gjovik v Apple, claim & 12(b)(6) history
<b>EXHIBIT B</b>	Table of Contents copied from all filed complaints
<b>EXHIBIT C</b>	Indexes created (after the fact) for all complaints
<b>EXHIBIT D</b>	Emails: attempt to meet/confer
<b>EXHIBIT E</b>	Emails: NLRB & prior hearing
<b>EXHIBIT F</b>	Wikipedia vandalism about this case
	<i>Second Declaration (August 18 2024)</i>
<b>EXHIBIT G</b>	<u><a href="#">3250 SOL Discovery: US EPA Emails</a></u>
<b>EXHIBIT H</b>	<u><a href="#">3250 Scott Public Records Request</a></u>
<b>EXHIBIT I</b>	<u><a href="#">com.apple.vetap.gobbler</a></u>

## G. Declaration Exhibit G: Discovering 3250 Scott: US EPA Emails

### Re: Santa Clara Square Apts. VOC concerns (Synertek Superfund)

From: Ashley M. Gjøvik <ashleymgjovik@protonmail.com>  
To: R9.Info <R9.Info@epa.gov>; Ty <no address>; Fatima <Ty.Fatima@epa.gov>; Poalinelli <no address>; Edwin <POALINELLI.EDWIN@EPA.GOV>; Diemer <no address>; Katherina <Diemer.Katherina@epa.gov>; <Madjid.Delkash@Waterboards.ca.gov>  
Cc: <matthew.t.wetter@usace.army.mil>  
Bcc: Lenny Siegel <LSiegel@opeo.org>

Hello,

I never received a response to this email & it's now been 40 days.

A new, additional question for you all - Is how long have you known that Apple was doing literal actual silicon fab in that 3250 Scott Building since ~2016 through current?

Like, back in the 1970s-1980s Silicon Valley silicon fab, and only .2 miles (.3 km) from RESIDENTIAL BUILDINGS.

Apple's buildings permits (attached) note solvent/chemical evaporation in the yards near the "gas bunkers" & a large number of solvent exhaust ducts to the roof from the variety of clean rooms & fab stations.

The building is registered in CERS but is not a DTSC, Water Board, or US EPA site.

A literal silicon fab factory that is spewing toxic chemicals into at least the air is only overseen by the city fire department & which only inspected a couple times - finding open violations but apparently never even following up on them.

Meanwhile:  
<https://sfbayview.com/2021/03/i-thought-i-was-dying-my-apartment-was-built-on-toxic-waste/>

-Ashley

—  
Ashley M. Gjøvik, J.D., B.S., PMP  
Founder, The D&G Center, megacorpwatch.org  
Whistleblower & Activist, ashleygjovik.com

Sent with Proton Mail secure email.

----- Original Message -----

On Wednesday, January 11th, 2023 at 4:58 PM, Ashley M. Gjøvik <ashleymgjovik@protonmail.com> wrote:

Hello! I hope you're all doing well.

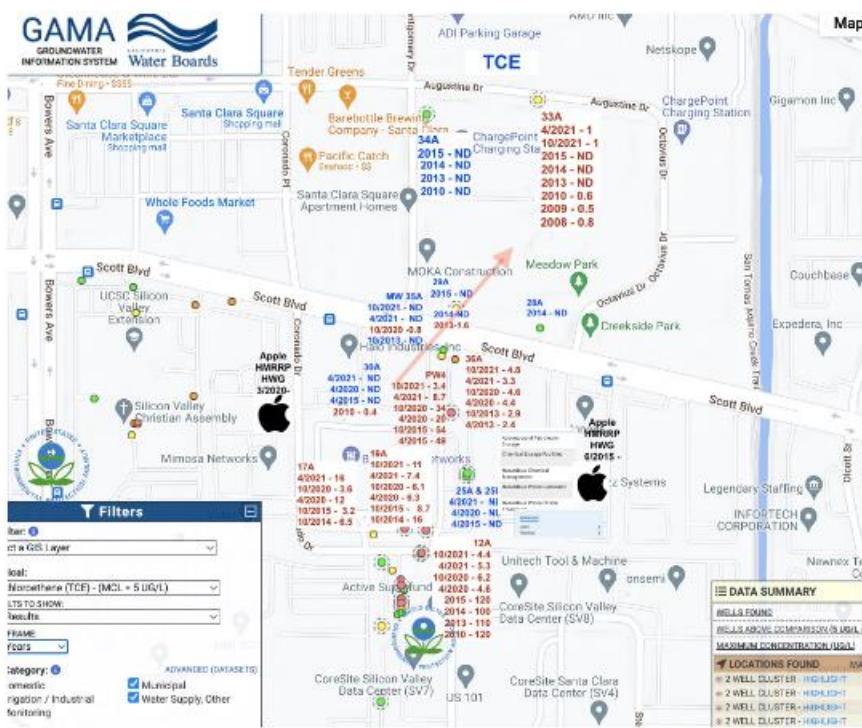
I wanted to check in again on the vapor intrusion risk assessment for Santa Clara Square Apartments in Santa Clara (on the Synertek Superfund plume & Zeta NPL site).

You may remember, I lived near groundwater well 33A (3390 Octavius Dr). The apartment I lived in had no vapor intrusion mitigation, not even a vapor barrier, and the groundwater was as shallow as 6ft in some areas. I moved into the Apartments in Feb 2020 & immediately suffered severe, prolonged central nervous system depression, tumors & rashes, arrhythmia & palpitations, & debilitating fainting spells. I was on state disability for six months due to these severe issues. All of these things resolved after I moved out of the apartment in October 2020, (even the thyroid tumor shrunk dramatically in six months). Two chemical exposure specialist doctors confirmed the best explanation was industrial VOC exposure at the apartment. Additional residents also came forward who also experienced unexplained health issues after moving in, one in my building who was also in/out of the ER it was so severe. Some reported this to DTSC & the mayor, but from what I've heard, nothing was done.

I have a few questions for you about the site if you wouldn't mind, please & thanks.

#### 1. INCREASING TCE IN WELL 33-A PER GAMA

I see via GAMA that you did test well 33A last year (right next to where I lived, thank you!) but it now shows TCE, positive in two tests. I also see increasing & decreasing levels of TCE in the wells uphill from the apartment. Following the topography & apparent plume morphology, it appears the TCE may have began flowing downhill under the apartment complex at some point after 2015.



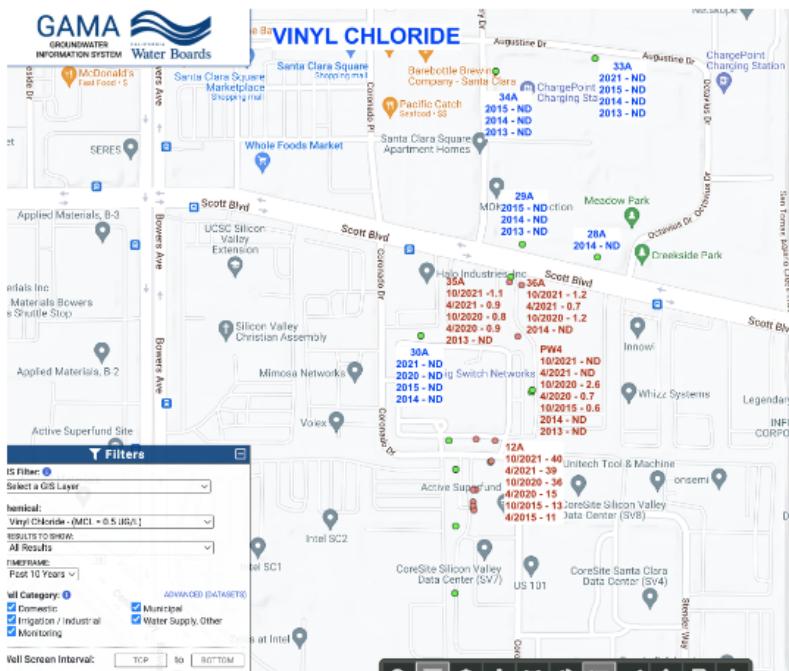
Request 1: I would like to request, again, if groundwater in well 28A can be tested please. Ideally 29A too.

#### 2. 2022 FYR NOTES REMEDIATION INJECTIONS IN 2019 & 2020, WITH "REBOUND EFFECT"

I also see the 2022 (6th) FYR was posted on the EPA site, dated Sept 2022. I see a note that in Feb 2020, bioremediation injections were completed at several wells, which started Dec 2019. The FYR notes there was a "rebound effect" with an "increase of approximately 5-10ug/L" of TCE in "nearby wells." FYR notes Honeywell "conducted part monitoring" through April 2021. (pg II, pg 11). I also see a note that as the TCE was broken down as part of the bioremediation that there was an "increase in vinyl chloride" at "several wells." I do not see any 2020-2021 testing in wells 34A, 29A, or 28A.

This timeline matches my illness.

Revised Focused Feasibility Study Approved	2018
Installation of enhanced in situ bioremediation injection wells	Dec. 2019 – Jan 2020



**Request 2:** I don't remember anyone ever disclosing this bioremediation effort to me when I raised concerns about the site in 2020 & early 2021. Is it possible the "rebound effect" may have also occurred at the apartments? Could that be related to why TCE is increasing in well 33A? Was there any testing in 2022 (and results haven't been posted yet)?

As I complained about in 2020 & 2021, when there is so little testing done on the site of these apartments, its impossible to know what is or is not happening there.

### 3. SANTA CLARA SQUARE APARTMENTS IN FYR

I also see notes in the FYR about the apartments:

"Construction of nearby residential buildings has occurred in the past five years. Residential buildings are now closer to the Site than was the case at the time of the Record of Decision. However, vapor mitigation systems were installed at the four closest newly constructed mixed use/residential buildings. There is no potential for vapor intrusion to be an issue based on the chemical concentrations near the new development." (pg 15)

"Based on the Site inspection and a review of the Final Response Plan for the Santa Clara Square Apartments from 2010, vapor mitigation systems were installed below the four closest newly constructed mixed use/residential buildings downgradient on Scott Boulevard." (pg 15)

Was US Army Corps of Engineers, who prepared the FYR, informed about the issues reported at the apartments? I don't see anything mentioned at all. Was the Army informed several buildings did not have any vapor intrusion mitigation at all? Including my building? The diagrams on pages 19-20 are not accurate to the new buildings/addresses for the apartment complex either. I'm citing the noted inspector as I'm worried he may not have been provided adequate information about what happened there in 2020.

Ref:

<https://ebaylive.com/2021/03/i-thought-i-was-dying-my-apartment-was-built-on-toxic-waste/>  
<https://www.indexcensorship.org/2021/12/apple-poisoned-me-physically-mentally-spiritually/>  
[https://www.youtube.com/watch?v=p0K4\\_ERtCvY](https://www.youtube.com/watch?v=p0K4_ERtCvY)

(Note: I see a notice was posted in a local paper for comments & I would have provided some if I was made aware, but I like many others, do not often read local papers. It would be better if you had sign-up lists for parties interested in certain sites to be notified via email when its time for notice/comment. Due to what happened in 2020, I will never forget about this site - for the rest of my life.)

### Request 3: FYR & 36A plume

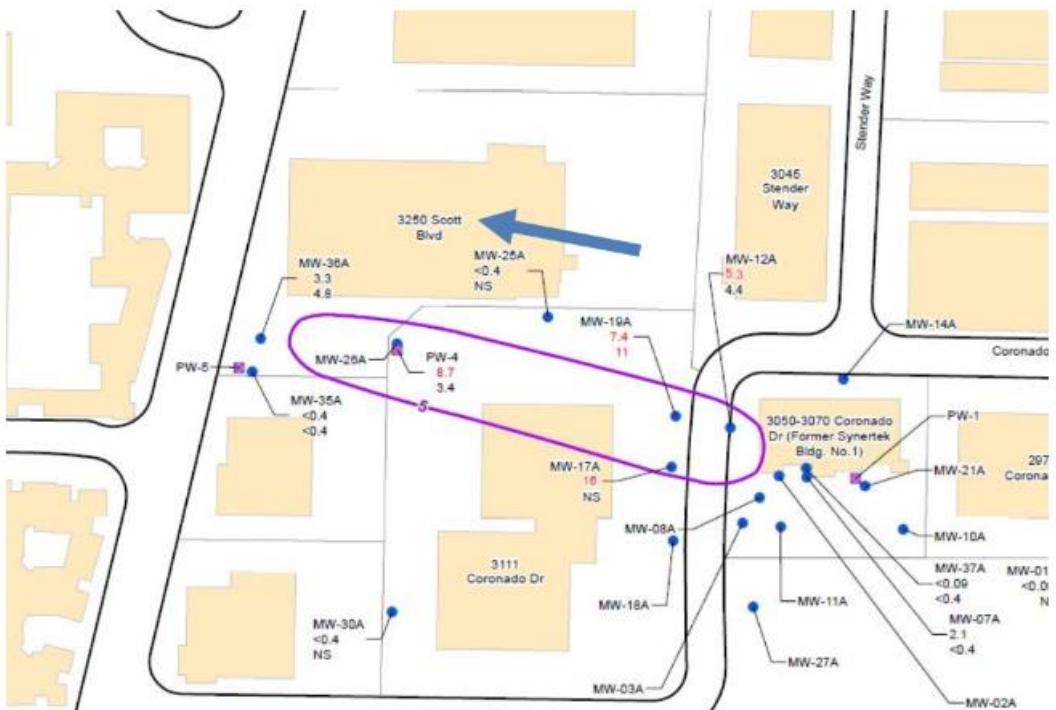
Can you please explain why Well 36A was noted to no longer be part of the plume, when the TCE in that well has been increasing? (now up to 4.6 as of Oct 2021). Does that mean you think another site is increasing the TCE there, not Synertek? If so, has this been reported to the Cal EPA reps for nearby buildings?

### 4. 3250 SCOTT BLVD

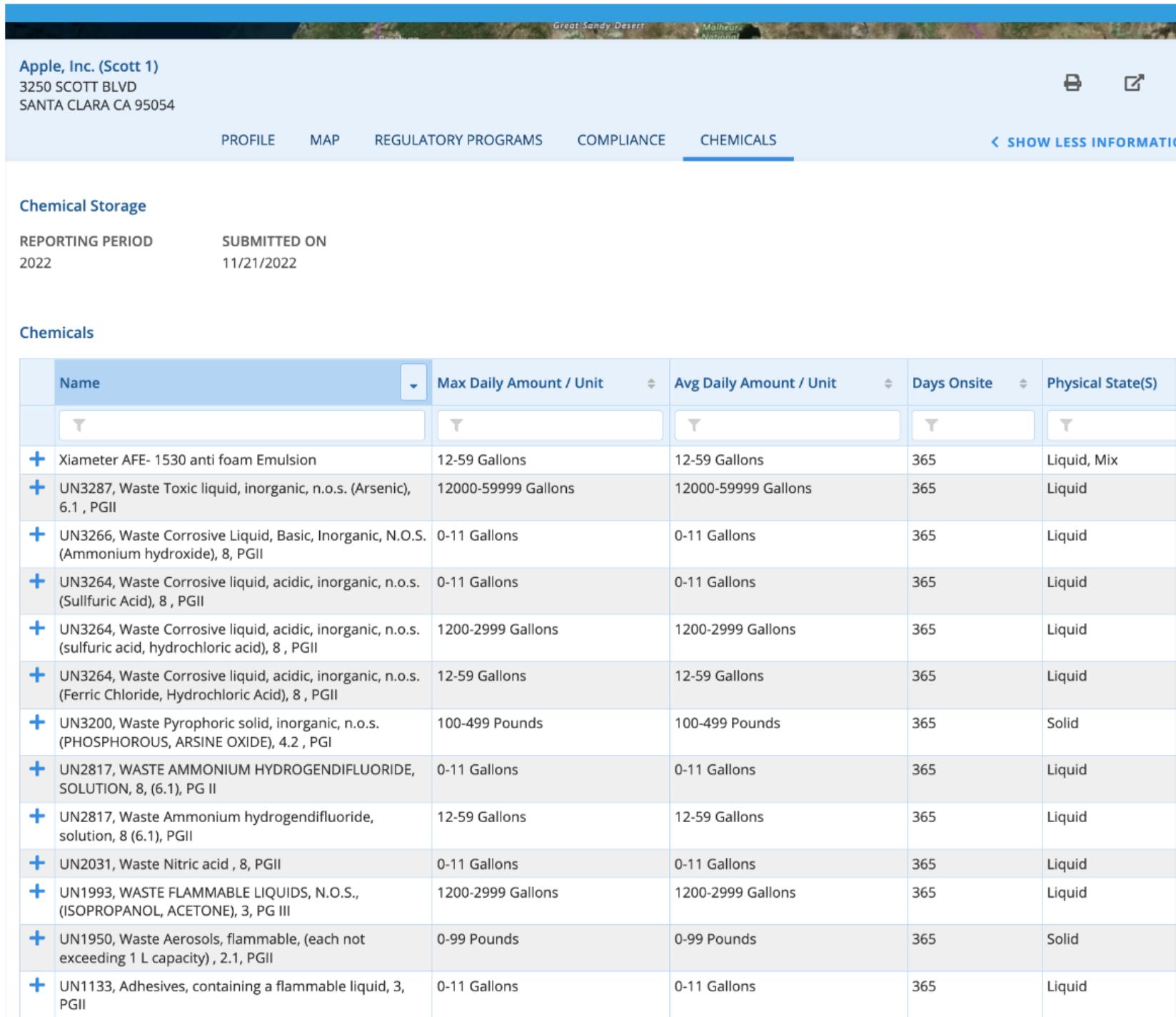
My ex-employer has an office directly uphill from the apartments, next to Synertek, registered with CERS as a haz waste generator & storing haz waste since 2015. Apple gathered six haz waste violations in 2020, including "1,700 gallons of missing diesel" see: <https://siteportal.cal EPA.ca.gov/sites/detail/385316/compliance>

Apple & I talked about that site back in 2020 when I realized I was sick from toxic waste around the apartments. When I told Apple I was next to 3250, they encouraged me to take "Extreme Condition Leave" (special paid leave for natural disasters) to move out, which I did.

The 2022 FYR notes "there is no potential for vapor intrusion." It notes Honeywell did VI Inspections in 2014-2015 for buildings 3050-3070 & 3111 on Corrado Drive. The report does not say any testing was done at 3250 Scott Blvd.



Request 4: Was there an inquiry to 3250 about testing? Apple moved in 2015, per CERS records. In 2017, Honeywell General Counsel (Kate Adams) became General Counsel of Apple. Was this considered during any outreach about 3250? I'd be concerned about VI at 3250 not just for workers there, but also due to chemical reactivity with the stockpile of industrial chemicals they're apparently hoarding there, & even losing track of thousands of gallons of.



Apple, Inc. (Scott 1)  
3250 SCOTT BLVD  
SANTA CLARA CA 95054

PROFILE MAP REGULATORY PROGRAMS COMPLIANCE CHEMICALS < SHOW LESS INFORMATION

**Chemical Storage**

REPORTING PERIOD SUBMITTED ON  
2022 11/21/2022

**Chemicals**

	Name	Max Daily Amount / Unit	Avg Daily Amount / Unit	Days Onsite	Physical State(S)
+	Xiameter AFE- 1530 anti foam Emulsion	12-59 Gallons	12-59 Gallons	365	Liquid, Mix
+	UN3287, Waste Toxic liquid, inorganic, n.o.s. (Arsenic), 6.1 , PGII	12000-59999 Gallons	12000-59999 Gallons	365	Liquid
+	UN3266, Waste Corrosive Liquid, Basic, Inorganic, N.O.S. (Ammonium hydroxide), 8 , PGII	0-11 Gallons	0-11 Gallons	365	Liquid
+	UN3264, Waste Corrosive liquid, acidic, inorganic, n.o.s. (Sulfuric Acid), 8 , PGII	0-11 Gallons	0-11 Gallons	365	Liquid
+	UN3264, Waste Corrosive liquid, acidic, inorganic, n.o.s. (sulfuric acid, hydrochloric acid), 8 , PGII	1200-2999 Gallons	1200-2999 Gallons	365	Liquid
+	UN3264, Waste Corrosive liquid, acidic, inorganic, n.o.s. (Ferric Chloride, Hydrochloric Acid), 8 , PGII	12-59 Gallons	12-59 Gallons	365	Liquid
+	UN3200, Waste Pyrophoric solid, inorganic, n.o.s. (PHOSPHOROUS, ARSINE OXIDE), 4.2 , PGI	100-499 Pounds	100-499 Pounds	365	Solid
+	UN2817, WASTE AMMONIUM HYDROGENDIFLUORIDE, SOLUTION, 8, (6.1), PG II	0-11 Gallons	0-11 Gallons	365	Liquid
+	UN2817, Waste Ammonium hydrogendifluoride, solution, 8 (6.1), PGII	12-59 Gallons	12-59 Gallons	365	Liquid
+	UN2031, Waste Nitric acid , 8, PGII	0-11 Gallons	0-11 Gallons	365	Liquid
+	UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., (ISOPROPANOL, ACETONE), 3, PG III	1200-2999 Gallons	1200-2999 Gallons	365	Liquid
+	UN1950, Waste Aerosols, flammable, (each not exceeding 1 L capacity) , 2.1, PGII	0-99 Pounds	0-99 Pounds	365	Solid
+	UN1133, Adhesives, containing a flammable liquid, 3, PGII	0-11 Gallons	0-11 Gallons	365	Liquid

+	Ultra Etch Np 6:1	100-499 Pounds	100-499 Pounds	365	Liquid, Mix
+	Sulfuric Acid 96% Cleanroom	0-99 Pounds	0-99 Pounds	365	Liquid, Pure
+	Sulfur Hexafluoride	0-2599 Cubic Feet	0-2599 Cubic Feet	365	Gas, Pure
+	Sodium Hydroxide	120-599 Gallons	120-599 Gallons	365	Liquid, Pure
+	Refrigerated Liquid (100% Nitrogen)	60-119 Gallons	60-119 Gallons	365	Liquid, Pure
+	Oxygen (cryogenic, liquefied)	0-2599 Cubic Feet	0-2599 Cubic Feet	365	Liquid, Pure

more: <https://siteportals.calepa.ca.gov/sites/map/results/detail/385316/chemicals>

Thanks!

-Ashley

—  
Ashley M. Gjøvik, J.D., B.S., PMP  
Director, A. M. Gjøvik Consulting, L.L.C.  
Phone: +1 415-984-8272  
Personal: [ashleygjovik.com](http://ashleygjovik.com) | Consulting: [gjovik.co](http://gjovik.co)

Sent with [Proton Mail](#) secure email.

----- Original Message -----

On Wednesday, October 21st, 2020 at 12:07 PM, Ashley Gjøvik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)> wrote:

Hello! Hope you're all doing well.

The DTSC has declined to investigate and is standing behind their initial assessment from 2015.

Irvine Company appears to have refused to do any testing on my unit (other than sending PG&E out to check for a "gas leak") — and appears to have already rented it out to someone else.

I now live up in San Francisco and all of my health issues stopped within days of moving out. I've talked to a couple doctors so far and they say all my medical issues since moving into that unit match an acute response to solvent exposure.

Did we learn anything about the groundwater? Any other info I can provide to help?

Thanks!

— Ashley Gjøvik

On Sep 22, 2020, at 12:18 PM, Ashley Gjøvik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)> wrote:

Thank you, Katherina! Appreciate it.

I also gave DTSC (Cheryl) a heads up in case they are managing one or more of those sites as well.

— Ashley Gjøvik

On Sep 22, 2020, at 7:24 AM, Diemer, Katherina <[Diemer.Katherina@epa.gov](mailto:Diemer.Katherina@epa.gov)> wrote:

Good Morning Ms. Gjøvik,

I am the new Project Manager for this site. Thank you for your inquiry and the information you have provided. I am new to this site and will need a little time to gather the requested information below. I have a few meetings in the next week to discuss this site with other managers. I will reply to you as soon as I have more information and answers to your questions. In the meantime please let me know if you have other questions and concerns and I will do my best to help.

Thank you and have a great day,

Katherina Diemer

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**From:** Ashley Gjøvik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)>  
**Sent:** Monday, September 21, 2020 4:27 PM  
**To:** Ty, Fatima <[Ty.Fatima@epa.gov](mailto:Ty.Fatima@epa.gov)>; Diemer, Katherina <[Diemer.Katherina@epa.gov](mailto:Diemer.Katherina@epa.gov)>  
**Cc:** R9.info <[R9.Info@epa.gov](mailto:R9.Info@epa.gov)>  
**Subject:** Re: Santa Clara Square Apts. VOC concerns

Oh - and if someone sampled the groundwater near the corner of the property my unit is on, I'd be interested which well they used, please. MW-33A is a bit west of my unit and might not catch the same flow as what's under me. I haven't actually seen a groundwater well near my specific unit - despite that weird depressed spot & patch in the asphalt near 3393 Octavius. MW-28A might be the closest to what's going my direction.

Also, fwiw, I've found notes of multiple sources of groundwater contamination upgradient from my unit — not just synertek.

Irvine's currently doing a bunch of construction on top of that 3236 site (more apartments I think) - so I'd be especially curious about that one.

Are those other GW contamination sites (Intel; 3236) managed by the state waterboard or DTSC instead of EPA?

Thanks again!

<image001.png>

<image002.png>

<image003.png>

<image004.png>

<image005.png>

— Ashley Gjovik

On Sep 21, 2020, at 3:28 PM, Ashley Gjovik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)> wrote:

Hi Fatima. Thanks for the update!

What testing did the EPA/RWQCB do to determine the current state/location of the plume?

Does the EPA have any additional action items or follow up on this overall concern/issue?

Does RWQCB have any additional action items or follow up?

— Ashley Gjovik

On Sep 21, 2020, at 3:05 PM, Ty, Fatima <[Ty.Fatima@epa.gov](mailto:Ty.Fatima@epa.gov)> wrote:

Hello Ms. Gjovik – I'm glad to hear that DTSC reached out to you. I hope they can answer your questions regarding their sites.

I shared your updates with the Synertek site project managers from EPA and the Regional Water Quality Control Board. Based on their reviews of site data, the groundwater contaminant plume has not migrated from Synertek to the Santa Clara Apartments, and as such, the site is unlikely impacting the Apartments.

Should you have questions, I've cc'd EPA's project manager, Katherina Diemer.

Warm regards,  
Fatima

Fatima Ty  
(415) 972-3550

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From: Ashley Gjovik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)>  
Sent: Sunday, September 20, 2020 6:56 PM  
To: Ty, Fatima <[Ty.Fatima@epa.gov](mailto:Ty.Fatima@epa.gov)>  
Cc: R9.info <[R9.info@epa.gov](mailto:R9.info@epa.gov)>  
Subject: Re: Santa Clara Square Apts. VOC concerns

Hi! Quick update.

I talked to Cheryl at the DTSC on the phone Friday and sent her several emails with photos and notes of my concerns, and potential failings by Irvine.

One thing I shared with DTSC but that I also think you should be aware of, are these giant cracks I found in the lowest level of the parking garage in my building yesterday. This is the top of the "containment cell" for like 4,400 cubic yards of hazardous waste. I believe Irvine Co. is supposed to report conditions like this to the DTSC. I'm also terribly worried about what is leaking out of those cracks (the moisture, but also any vapor). And whether anything is actually "contained" now. There's giant cracks like that all over the floor, even intersecting with each other.

Also, Irvine Co. hired a PR person to deal with me, but after I send her my emails with Irvine (reporting the VOCs) and the documentation I sent DTSC, even she now admits it seems something is going on. I guess she used to work for the DTSC, so she knows what's up.

Let me know if you want to see the other concerning photos I sent DTSC (exposed geo-textile markers around the trees, broken utility lines, exposed wires in the TPZ, floods next to the containment cells, pics of my home TVOC monitor results, etc).

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Not to mention this maybe unrelated hazard... EV charger, in standing water from unknown source, with submerged box of pesticides. But that moisture seems to be mixing with some of the moisture in these cement cracks too.

<image005.png>

<image006.png>

— Ashley Gjovik

On Sep 17, 2020, at 6:52 PM, Ashley Gjovik <[ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)> wrote:

Hello! Thank you. I appreciate it. Looking forward to talking to Jayantha.

I think it got back to Irvine Co. that I was reporting them to so many agencies and talking to law firms, because they reached out on 9/11 (completely unsolicited) and offered to let me break my lease without penalty (otherwise I'd have to pay ~8k). I gave notice and am moving up to SF on 9/25, and will drop off the key by 10/10.

I'm worried Irvine might just try to rent my unit out again after I leave without any investigation — despite my complaints about VOCs, chemical smells (inside my unit, in the stair well, and the soil outside the stair well), and my symptoms at the time of the VOCs & smells. They seem very disinterested.

Btw, I'm having an industrial hygienist come out next week to do indoor air samples in my unit and to sample the top soil outside my unit. If you'd also like to run some labs on my unit's air (I'd highly recommend it — the VOCs are still blasting daily), I'm happy to let you in while I'm still here. I'll offer the same to DTSC and CRWQCB if/when they reach out.

And I also grabbed a list of the most commonly mentioned chemicals from the soil & groundwater samples near my unit and have blood & urine tests underway to see if any of them are the VOCs blasting my unit, and if so how much of them are inside me. If any come back positive while I'm still in the unit, I'm also going to check out my dog. I've been worried about him too.

Please let me know if there's anything else I can do to help — or if anyone else I should notify.

Would also appreciate any tips if you know any env/occupational health doctors who can advise me about exposure. I have a referral out to a specialist at UCSF who's dealt with haz waste exposure/OSHA/etc, but waiting to hear back. I guess he books out 3-4 months. Hoping there might be someone else who can help advise me sooner. My PCP has no experience with this.

Thanks!

— Ashley Gjovik  
(408) 204-9976

On Sep 17, 2020, at 5:36 PM, Ty, Fatima <[Ty.Fatima@epa.gov](mailto:Ty.Fatima@epa.gov)> wrote:

Dear Ms. Gjovik,

I'm sorry to hear about your ongoing health issues and concerns.

California's Department of Toxic Substance Control (DTSC) manages cleanup projects near your home. I contacted the project manager, Jayantha Randeni, who should be in contact with you soon, if she hasn't yet reached out, about their cleanup effort.

Also, as you pointed out, there is a Superfund site nearby, Syntek. California's Regional Water Quality Control Board in Oakland oversees cleanup activities at this site. We are working with their staff to review your concerns and will be in touch soon.

Warm regards,  
Fatima

Fatima Ty  
Superfund and Emergency Management Division  
U.S. EPA, Region 9  
Tel (415) 972-3550

-----Original Message-----

From: RB.Info <[R9.Info@epa.gov](mailto:R9.Info@epa.gov)>  
Sent: Monday, September 14, 2020 3:16 PM  
To: Ty, Fatima <[Ty.Fatima@epa.gov](mailto:Ty.Fatima@epa.gov)>  
Cc: Harris-Bishop, Rusty <[Harris-Bishop.Rusty@epa.gov](mailto:Harris-Bishop.Rusty@epa.gov)>; RB.Info <[R9.Info@epa.gov](mailto:R9.Info@epa.gov)>  
Subject: Santa Clara Square Apts. VOC concerns

Hi Fatima,

Can you assist us with this inquiry from Ms. Gjovik?  
Please keep [R9.info@epa.gov](mailto:R9.info@epa.gov) in the loop.

Thanks!  
Debora

Debora Cohen  
Director, Environmental Information Center/Library U.S. EPA Pacific Southwest, Region 9 [cohen.debora@epa.gov](mailto:cohen.debora@epa.gov) / 415.972.3655

-----Original Message-----

From: [drupal\\_admin@epa.gov](mailto:drupal_admin@epa.gov) <[drupal\\_admin@epa.gov](mailto:drupal_admin@epa.gov)> On Behalf Of Ashley Gjovik via EPA  
Sent: Thursday, September 10, 2020 2:44 PM  
To: RB.Info <[R9.Info@epa.gov](mailto:R9.Info@epa.gov)>  
Subject: Inquiry from Region 9 Contact Us form

Question or comment submitted on 09/10/2020 5:44PM

Your Name: Ashley Gjovik  
Organization:  
Email: [ashleygjovik@icloud.com](mailto:ashleygjovik@icloud.com)  
Phone number: 4082049976

Your request or comment:

I have reason to believe the my apartment complex and the property it is on is exposing me to harmful levels of volatile organize chemicals. I live at the Santa Clara Square Apartments, which apparently has enormous amounts of hazardous waste on site. I believe there is vapor intrusion coming into my unit.

I've been struggling with massive health issues this year. They were mostly mild before I moved in, but they got extremely worse days after I got here.

This is a brand new building, I'm the first tenant in my unit, and I was one of the earlier folks to move in. (Canary in the coal mine?) I moved in 2/8/20, ended up in the ER 2/16, and they finished construction of my building in May 2020 (per county records). I ended up seeing 20+ specialists trying to figure out what was making me so sick (severe dizzy spells, arrhythmia, angina, rash, MS-like neurological symptoms, volatile blood pressure, bradycardia, exhaustion, etc.)

I started becoming suspicious of toxins/poisoning only a couple weeks ago. My health issues were returning after a "treatment" of three weeks of antibiotics for an assumed very rare infection. (However, Stanford Infectious Disease was fairly certain it wasn't the infection, and I was instead suffering from massive inflammation from some unidentified source, saying the antibiotics only provided an anti-inflammatory effect). I was also noticing what I thought was the building shaking during the night (and my dog noticed it too -> barking, etc). One of my friends suggested I might be hallucinating and to check my CO levels. CO was fine. But when I checked my Blue Air filter monitors I saw huge waves of tvOCs fuming up my apartment at the times I was hallucinating. Since I moved in, I also had several occurrences of waking up in the middle of the night feeling like I was choking/dying around 3am. I've also now seen huge tvOC spikes at one of those times as well.

I've purchased three separate personal tvOC monitors and they're all showing unhealthy numbers, usually at the same time, often at least twice a day. The fumes seem to come in the worst around 7am-8am and 10pm-11pm. Sometimes it's quick, and sometimes they blast me for multiple hours.

When they the fumes are blasting, I can feel & smell it before I see it. My skin burns, my lungs burn, I feel exhausted, like I'm choking. The rash on my arms gets really itchy. My dog is also showing symptoms (lethargy, anxiety, loss of appetite, etc)

There's a chemical smell, sometimes kind of sweet, sometimes like gasoline, sometimes like burning plastic... there's several different ones that will come in. If I go outside a get fresh air (or even sit up close next to my windows) I start feeling better. My symptoms seems to vary with the smells - some will make me dizzy and exhausted, some will make me lose coordination and focus, some will make me super nauseous, etc.

The hallucinations were happening almost every night after I weatherized my windows and tried to prevent any of the smokey air from coming in. The hallucinations have stopped since I've been keeping all my windows wide open. I was also getting nosebleeds when all my windows were closed, but now the bleeds stopped after keeping the windows open.

Even with windows open, I can still feel the fumes though. The symptoms are less bad, but they're still awful. And now with the smokey air -- I cannot close my windows. The fumes are way worse than the particulates, and I even have asthma. It's all miserable.

So, then I started researching... and found the Env Impact report, and then the DTSC records and was HORRIFIED to learn not just how much hazardous waste was on the property, but that most of it is still on the property!!!

My unit is a corner unit next to a stairwell (that also houses the fire sprinkler riser drainage system). My unit looks out on a "park" that apparently had no solid/ physical barrier put in to protect from the known hazardous groundwater though to be flowing from the Syntech Superfund site a block from us (upgradient from the units). My unit also looks out on two big redwoods, that apparently did not have any of the hazardous soil removed out to 1.5x the canopy of each, instead a cloth matrix was supposed to be installed separating the poison soil from ok soil. Finally, apparently instead of removing the hazardous and near CAL HAZ soil, they buried it in a containment cell under the garage of my building, which sits in the center of the building with units all around it. Per their notes, no vapor intrusion mitigation or monitoring was installed.

Also, from all the reports I read, it looks like the corner of the property my unit sits on had the very least amount of soil & groundwater sampling performed history and before/during construction, compared to the other areas of the property.

Since I moved in I've noticed numerous issues with the construction of the building. Frequent burst pipes, one of which kept pouring directly at one of the inverter room, and happened 3x times (I have pics/emails), the fire pipes are almost always leaking outside (pics/emails too), my HVAC is a mess-- there's air blowing out of one of my light switches and no one knows why or where it's coming from, etc. The courtyard had the sprinklers fail and put out water for like two days straight, flooding the flower beds next to the building & foundation (maybe <20ft from the horrifying toxic garage). Also I remember when I moved in, I saw weird orange plastic near those redwoods -- and now I suspect that was supposed to be the matrix. If I could see it, not sure they actually separated the soil like they were supposed to. I also saw them digging deep into that park and by the tree when construction was finishing last spring. No warnings ... no red tape... just dirt everywhere.

I was also never notified that I'm living on/near so much hazardous waste.

There are no signs or warnings, even around areas where they know there's Cal Haz materials (the trees, etc).

Because I'm in a corner unit over looking the toxic redwoods and toxic groundwater park, and because I share a wall with a stair well (vapor intrusion freeway) -- I'm incredibly suspicious of some sort of hazardous waste vapor intrusion coming into my unit. It seems to be getting worse, especially with the recent weather/temp/pressure changes. It makes me feel incredibly sick.

I've complained to my property manager (Irvine Company) of the fumes, tvOCs & HCHO levels, my symptoms -- and asked for help. Numerous times. I explained I noticed these issues worsen after closing off my windows to block out the smoke.

This is the last response I got from them on 9/6:

"Thank you for your emails. There are several wildfires throughout the state of California and the air quality is not ideal in most areas. I've included a screenshot of the current AQI for Santa Clara specifically below. You can see that yesterday was considered "unhealthy" and today is moderate. Unfortunately, we don't have control over the air quality in Santa Clara or in surrounding areas.

At this point, we have exhausted all options in trying to assist you the best we can. We had PGE out on Friday and they tested the surrounding stairwells, the area of your apartment home on the exterioras well building 4, and there are no gas leaks or chemical spills. As of now, there is no evidence suggesting that your apartment home is unsafe.

What are you wanting to do at this point? If you feel that your health and safety are in jeopardy you need to call 9-1-1 or emergency services, otherwise, we will further respond and communicate on Tuesday due to the Labor Day Holiday.

--

Courtney Weekley  
General Manager  
Santa Clara Square Apartment Homes"  
Date/Time of Occurrence:  
Location Address:

' Location Description (if provided): My apartment is #349

Responsible Party Name:  
Responsible Party Company Name: Irvine Company Responsible Party Address:  
, California

Your information:  
[Email: ashleyjovik@icloud.com](mailto:ashleyjovik@icloud.com)  
Home Phone:  
Mobile Phone: (408) 204-9976  
Your Address:  
3390 Octavius Drive #349  
Santa Clara, California 95054

## H. Declaration Exhibit H: 3250 Scott Public Records Act Request

8/18/24, 10:01 PM

Request 23-127 - NextRequest - Modern FOIA &amp; Public Records Request Software

Skip to main content

Public Record Requests

City of Santa Clara



Request Visibility: Published

### Request 23-127 Closed



#### Dates

##### Received

February 9, 2023 via web

#### Requester

Ashley M. Gjovik

ashleymgjovik@protonmail.com



#### Invoices

No invoices due

#### Staff assigned

##### Departments

No departments assigned

##### Point of contact

Stephanie Davis

#### Request

Hello! I would like to please request any records in Santa Clara city possession about the following properties. Records includes but is not limited to letters, reports, complaints, emails, violations, warnings, permits, photos, inspections, and other documents. Date range: Jan 1 2010 through Jan 31 2023

##### Locations:

- 3250 SCOTT BLVD (EPA ID CAR000278176)
- 3260 SCOTT BLVD
- 3170 CORONADO DR (EPA ID CAL000450535)
- 2630 WALSH AVE (EPA ID CAT000603704)

All buildings appear to be currently leased by Apple Inc.

Digital records are preferred. If there are too many records, let me know, and I can try to refine the search parameters. If it will take some time, I would appreciate if docs could be released in batches as they're ready. Please let me know if you have any questions. Thank you!

[Show less](#)

#### Timeline Documents

##### Message from requester

Requester + Staff

I had no idea this request would return so many documents. This must have been a huge amount of work for your team to process. Sorry about that. I just want to say, this information provided is VERY VERY HELPFUL to me and I'm analyzing every single document. Thank you thank you.

April 19, 2023, 3:03pm by the requester

8/18/24, 10:01 PM

Request 23-127 - NextRequest - Modern FOIA &amp; Public Records Request Software

 Request closed 

Public

The City of Santa Clara has released responsive document(s) pursuant to the California Public Records Act and are available for download through the <https://santaclara.nextrequest.com/> portal.

The City has redacted from these records information that is exempt from disclosure under Government Code Section 6254(c) because it is personal information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Partial responsive records for this request have also previously been released by the City. You may refer to the following below:

**3170 Coronado Dr**

- Request #22-920 <https://santaclara.nextrequest.com/requests/22-920>
- Request #22-925 <https://santaclara.nextrequest.com/requests/22-925>

**3250 & 3260 Scott Blvd**

- Request #22-1148 <https://santaclara.nextrequest.com/requests/22-1148>
- Request #22-1149 <https://santaclara.nextrequest.com/requests/22-1149>

April 19, 2023, 2:55pm by Staff

 Document(s) released 

Public

2630 Walsh Ave\_BLD2019-54208\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2019-56141\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-57703\_APP\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-57777\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-57620\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2019-56054\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-58091\_Special Inspection Form\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-59918\_C10 (2)\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2020-59918\_C10\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2012-28535\_APP\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2021-61717-TCO1\_Fire Permit Clearance\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2012-29818\_APP\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2021-61717-TCO1\_TCO Request Letter\_R.pdf-redacted.pdf  
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 2630 Walsh Ave\_BLD2014-34395\_Permit Extension Email\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2014-34726\_Extension Email\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2014-34931\_MISC\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2017-48922\_Issue Docs\_R.pdf-redacted.pdf  
 2630 Walsh Ave\_BLD2017-49307\_Issue Docs\_R.pdf-redacted.pdf

<https://santaclara.nextrequest.com/requests/23-127>

2/32

8/18/24, 9:22 PM

Request 22-1148 - NextRequest - Modern FOIA &amp; Public Records Request Software

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Public Record Requests



City of Santa Clara

## Request 22-1148 Closed

### Dates

Received

October 11, 2022 via web

### Staff assigned

Departments

No departments assigned

Point of contact

Stephanie Davis

### Request

Hello:

My name is Steve Peck and I work at AEI Consultants and I am working on property condition assessment reports for two properties site located in Santa Clara. I have some building code compliance questions regarding these property sites.

#### Property Information:

Site Address 1: 3250 Scott Blvd, Santa Clara, CA 95054

Site Address 2: 3260 Scott Blvd, Santa Clara, CA 95054

#### Building Code Compliance Questions

1. Are there outstanding **building code** violations associated with the Property? If "Yes", please provide relevant documentation via email.
2. Are there pending **building code** requirements associated with the Property? If "Yes", briefly explain below.
3. Are there any recent **building code** administrative actions associated with the Property? If "Yes", briefly explain below.

<https://santaclara.nextrequest.com/requests/22-1148>

1/2

8/18/24, 9:22 PM

Request 22-1148 - NextRequest - Modern FOIA &amp; Public Records Request Software

[Show less](#)

### Timeline Documents

#### Request published

Public

#### Request closed

Public

The City of Santa Clara has released responsive document(s) pursuant to the California Public Records Act and are available for download

8/18/24, 9:22 PM

Request 22-1149 - NextRequest - Modern FOIA &amp; Public Records Request Software

Skip to main content

Public Record Requests

City of Santa Clara



## Request 22-1149 Closed

### Dates

Received

October 11, 2022 via web

### Staff assigned

#### Departments

*No departments assigned*

#### Point of contact

Stephanie Davis

### Request

Hello:

My name is Steve Peck and I work at AEI Consultants and I am working on property condition assessment reports for two properties site located in Santa Clara. I have some fire code compliance questions regarding these property sites.

#### Property Information:

Site Address 1: 3250 Scott Blvd, Santa Clara, CA 95054

Site Address 2: 3260 Scott Blvd, Santa Clara, CA 95054

#### Fire Code Compliance Questions

1. Are there outstanding **fire code** violations associated with the Property? If "Yes", please provide relevant documentation via email.

2. Are there pending **fire code** requirements associated with the Property? If "Yes", briefly explain.

<https://santaclara.nextrequest.com/requests/22-1149>

1/2

8/18/24, 9:22 PM

Request 22-1149 - NextRequest - Modern FOIA &amp; Public Records Request Software

3. Are there any recent **fire code** administrative actions associated with the Property? If "Yes", briefly explain.

[Show less](#)

### Timeline Documents

#### Request published

Public

October 14, 2022, 8:25am by Staff

#### Request closed

Public

## I. Declaration Exhibit I: Gobbler still trying to Access Plaintiff's Account

